

OFFICE OF  
BEFORE THE GENERAL COUNSEL  
FEDERAL ELECTION COMMISSION

2018 MAY -9 PM 12:13

JoAnne DeVries

Sarasota, FL 34236

MUR # 7381

Complainant,

v.

Rick Scott  
Rick Scott for Florida  
Salvatore Purpura, Treasurer of Rick Scott for Florida

Respondents.

**COMPLAINT**

Complainant files this complaint under 52 U.S.C. § 30109(a)(1) against Rick Scott, Rick Scott for Florida and Salvatore Purpura, Treasurer of Rick Scott for Florida for violating the Federal Election Campaign Act of 1971, as amended ("the Act") and Federal Election Commission ("FEC" or "Commission") regulations. Rick Scott, a candidate for the United States Senate in Florida, is avowing himself of the benefits of federal candidacy, asking the public for funds to support his campaign and spending those funds. Yet, Mr. Scott is ignoring the most basic obligation imposed upon him as a candidate- filing reports with the FEC disclosing who exactly is donating that money to his campaign and how he is spending it.

Complainant respectfully requests that the Commission promptly act to ensure that Mr. Scott stops hiding his campaign activity from the general public and starts following the reporting requirements imposed by the Act and Commission regulations on every single candidate for federal office.

## FACTS

Rick Scott is the current Governor of Florida and a candidate for the United States Senate in Florida. Mr. Scott filed an FEC Form 2, Statement of Candidacy for the United States Senate in Florida with the Commission on April 9th, 2018, designating Rick Scott for Florida as his principal campaign committee.<sup>1</sup> Prior to this filing, Mr. Scott was fundraising for his campaign. At least as early as March 29, 2018, he sent a fundraising email asking for individuals to contribute up to \$5,400 to support him. The email included a disclaimer noting that it was "Paid for by Rick Scott for Florida" and it directed individuals to a donate page for the same committee, which was subsequently identified as Mr. Scott's principal campaign committee. Despite this fundraising that occurred in the first quarter of 2018, as of the filing of this complaint, Rick Scott for Florida has yet to file an April Quarterly Report, which was due on April 15th, 2018.<sup>2</sup>

<sup>1</sup> See Exhibit A, Rick Scott FEC Form 2, Statement of Candidacy, United States Senate in Florida.

<sup>2</sup> See generally, Rick Scott for Florida, FEC Committee ID C00676965, available at <https://www.fec.gov/data/committee/C00676965/?tab=about-committee>.

## LEGAL ARGUMENT

Under the Act, an individual becomes a candidate for federal office when he either receives contributions aggregating in excess of \$5,000 or makes expenditures aggregating in excess of \$5,000 in support of his candidacy.<sup>3</sup> Once an individual becomes a candidate, "his or her principal campaign committee . . . must file quarterly reports."<sup>4</sup> Quarterly reports are due on April 15th, July 15th, October 15th and January 31st and are the backbone of public disclosure by federal candidates, listing information on all contributions received and expenditures made by the campaign.<sup>5</sup> The Commission has made it clear through the enforcement process that as soon as candidacy is triggered, the regular quarterly reporting schedule kicks in:

An individual becomes a candidate for purposes of filing reports under the Act when he or she raises or expends \$5,000 for purposes of seeking election to federal office . . . Therefore, when [the candidate] either raised or spent \$5,000, he became a candidate and was required to file the next scheduled report with the FEC.<sup>6</sup>

The public record suggests that Rick Scott triggered candidacy under the Act around March 29th, 2018 when he sent a fundraising email to his list that linked to an online donate page and asked for \$5,400 from individuals and \$10,800 from couples to support Rick Scott for Florida.<sup>7</sup> Assuming even one person responded to that ask, Mr. Scott raised over \$5,000 on that date, triggering candidacy under the Act. Yet, Mr. Scott did not file an April Quarterly Report

---

<sup>3</sup> 52 U.S.C. § 30101(2).

<sup>4</sup> See FEC Campaign Guide, Congressional Candidates and Committees 80 (June 2014), available at <https://www.fec.gov/resources/cms-content/documents/candgui.pdf>; 11 C.F.R. §§ 104.1; 104.5(a)(1).

<sup>5</sup> 11 C.F.R. §§ 104.5(a)(1); 104.3

<sup>6</sup> See FEC Matter Under Review 3656 (Dr. David Davis for Congress).

<sup>7</sup> See Exhibit B.

with the Commission on April 15th, 2018 nor has he filed one to date. As a result of this failure to file his first required report, the public is left in the dark as to where Mr. Scott is getting his campaign funding or how he is spending his money.

Accordingly, Complaint asks the Commission to investigate this matter, require Respondents to immediately file the required April Quarterly Report and impose an appropriate fine for the delay in providing the public with the disclosure information required by the Act and Commission regulations.

Sincerely,

*JoAnne DeVries*  
JoAnne DeVries

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of May 2018.

Helen M. Magill

*personally known to me*

Notary Public

My Commission Expires:

3/15/2022



**EXHIBIT A**

1804444001

**RICK SCOTT FOR FLORIDA**

RECEIVED  
SECRETARY OF THE SENATE  
PUBLIC RECORDS

2018 APR 12 AM 11:56

April 6, 2018

Secretary of the Senate-Public Records  
232 Hart.Senate Building  
Washington, DC 20510

202-224-3121

To Whom It May Concern:

Enclosed is a Statement of Candidacy for a new committee named Rick Scott for Florida.

Please let me know if you have any questions 704-668-1993.

Thanks



Salvatore Purpura  
Treasurer  
Rick Scott for Florida

201804120200184513

PAID FOR BY RICK SCOTT FOR FLORIDA





JULIE E. ADAMS  
SECRETARY

DANA K. MACCALLUM  
SUPERINTENDENT

HART SENATE OFFICE BUILDING  
SUITE 202

WASHINGTON, DC 20510-7136

PHONE (202) 224-0522

# United States Senate

OFFICE OF THE SECRETARY

OFFICE OF PUBLIC RECORDS

THE PRECEDING DOCUMENT WAS:

HAND DELIVERED \_\_\_\_\_  
Date of Receipt

USPS FIRST CLASS MAIL \_\_\_\_\_  
Date of Receipt Postmark

USPS REGISTERED/CERTIFIED \_\_\_\_\_  
Postmark

USPS PRIORITY MAIL \_\_\_\_\_  
Postmark

DELIVERY CONFIRMATION OR SIGNATURE CONFIRMATION LABEL

USPS EXPRESS MAIL \_\_\_\_\_  
Postmark

OVERNIGHT DELIVERY SERVICE:

	SHIPPING DATE	NEXT BUSINESS DAY DELIVERY
FEDERAL EXPRESS	<u>4/9/18</u>	<input checked="" type="checkbox"/>
UPS	_____	<input type="checkbox"/>
DHL	_____	<input type="checkbox"/>
AIRBORNE EXPRESS	_____	<input type="checkbox"/>

RECEIVED FROM FEDERAL ELECTION COMMISSION \_\_\_\_\_  
Date of Receipt

POSTMARK ILLEGIBLE  NO POSTMARK

FAX \_\_\_\_\_  
Date of Receipt

OTHER \_\_\_\_\_  
Date of Receipt or Postmark

PREPARER BP DATE PREPARED 4/12/18

4/04/16

201804120200184516





